



## Energy & Industry Department Prime Minister's Office Note to Industry (NTI)

TOPIC Control of Major Accident Hazards Regulations (COMAH) Safety Case Submission Timing			Reference Number 2017/NTI/ 4
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All duty holders under the Control of Major Accident Hazards Regulations (COMAH) 2013 are reminded that the COMAH regulations place a legal requirement on a duty holder to submit a relevant safety case to the competent authority within a MINIMUM time frame, prior to commencing an associated activity.

The MINIMUM time frames are:

1. Fixed Facility (COMAH Regulation section 13)

A fixed facility safety case is to be submitted AT LEAST 6 months prior to introducing first hazardous substance into the facility

2. Mobile Facility (COMAH Regulation section 14)

A mobile facility safety case is to be submitted AT LEAST 3 months prior to the facility being present on State Land with the intention of it being operated there.

3. Combined Operation (COMAH Regulation section 15)

A combined operation safety case is to be submitted AT LEAST 21 days before the start of the combined operation.

So when does a combined operation start?

COMAH Regulation section 2.2 (IV) indicates that “operated” means when a mobile facility enters the Safety Zone of an offshore facility or boundary of an onshore fixed facility. COMAH Regulation section 3 states that “combined operation” means two or more facilities, each with the potential to affect the major accident hazards (or associated Safety Critical Equipment) on the other, engaged directly in a temporary operation.

Thus for the purposes of COMAH, a combined operation starts when the mobile facility enters the safety zone (or boundary) of another facility.

All duty holders are to ensure that when planning their activities they adhere to the above legal minimum timing requirements.